



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,983	02/13/2004	Hidetaka Mizumaki	12480-000035/US	8228
30593	7590	09/02/2005	EXAMINER	
HARNESS, DICKEY & PIERCE, P.L.C.			SUN, XIUQIN	
P.O. BOX 8910			ART UNIT	
RESTON, VA 20195			PAPER NUMBER	
			2863	

DATE MAILED: 09/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/777,983

Applicant(s)

MIZUMAKI, HIDETAKA

Examiner

Xiuqin Sun

Art Unit

2863

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) 11,13-15,17-19 and 21-25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10,12,16 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 02/13/2004.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-10, 12, 16 and 20, drawn to processing method for managing for power generation, classified in class 702, subclass 62.
 - II. Claims 11, 13-15, 17-19, 21-25, drawn to an apparatus for managing device for power generation, classified in class 702, subclass 60.
2. The inventions are distinct, each from the other because:
3. Inventions I and II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the process as claimed can be practiced by another materially different apparatus such as a using wireless application.
4. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
5. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

6. During a telephone conversation with Mr. Ray Heflin (Reg # 41060) on 08/25/2005 a provisional election was made without traverse to prosecute the invention of group I, claims 1-10, 12, 16 and 20. Affirmation of this election must be made by applicant in replying to this Office action. Claims 11, 13-15, 17-19, 21-25 withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

7. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Specification

8. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information

Art Unit: 2863

given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

9. Specifically, the Abstract of the Disclosure is objected to because it can not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claims 1, 2, 9, 10, 12, 16 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Hayashi et al. (U.S. Pub. No. 20030004659).

Regarding claim 1, Hayashi et al. teach a method of managing electric power generators, comprising the steps of: (a) a managing device transmitting, via the Internet to either an electric power generator to be managed an electric-power-generator-end communications device connected to an electric power generator to be managed, a request for a transmission of generated power quantity information for the electric power generator (sections 0049-0051 and 0054); (b) either the electric power generator the communications device transmitting the generated power quantity information indicating a generated power quantity for the electric power generator back to the managing

Art Unit: 2863

device in response to the request (sections 0049-0051 and 0054); (c) the managing device storing the generated power quantity information into a database in association with the electric power generator which transmitted back the generated power quantity information or the electric power generator to which is connected the communications device which transmitted back the generated power quantity information (sections 0051 and 0054); and (d) the managing device deciding a timing to transmit a request information for a transmission of generated power quantity for the electric power generators (sections 0053 and 0144).

Regarding claims 2, 9 and 10, the teaching of Hayashi et al. further includes: the step of (e) the managing device determining whether the electric power generator corresponding to the generated power quantity information stored in step (c) is broken or suffering a reduction in power generation capability on the basis of the generated power quantity information (section 0112); in step (b), the electric power generator or the communications device transmits back identification information by which the electric power generator corresponding to generated power quantity information is identified, together with the generated power quantity information (section 0049); the generated power quantity information includes generated power quantity information for individual modules constituting the electric power generator (section 0049).

Regarding claim 12, Hayashi et al. teach a computer program causing a computer to operate as a managing device for electric power generators (section 0049), the computer program causing the computer to execute the steps of: (k) transmitting, via the Internet to either an electric power generator to be managed or an electric-

power-generator-end communications device connected to an electric power generator to be managed, a request for a transmission of generated power quantity information for the electric power generator (sections 0049-0051 and 0054); (i) registering the generated power quantity information into a database in association with the electric power generator or the communications device upon transmitting the generated power quantity information back from the electric power generator or the communications device (sections 0049-0051 and 0054); (m) deciding a timing to transmit request for a transmission in step (k) (sections 0053 and 0144).

Regarding claim 16, Hayashi et al. teach a computer program causing a computer in an electric power generator to execute the steps of: (o) receiving a request for a transmission addressed to the electric power generator via the Internet from a managing device having timing decision means for deciding timings to transmit a request for a transmission of generated power quantity information for electric power generators to be managed (sections 0049-0051; 0053-0054 and 0144); and (p) transmitting generated power quantity information indicating a generated power quantity for the electric power generator back to the managing device in response to the request (sections 0049-0051 and 0054).

Regarding claim 20, Hayashi et al. teach a computer program causing a computer connectable to an electric power generator to operate as a communications device, the computer program causing the computer to execute the steps of: (q) receiving a request for a transmission addressed to the communications device via the Internet from a managing device having timing decision

means for deciding timings to transmit a request for transmission of generated power quantity information for electric power generators to be managed (sections 0049-0051; 0053-0054 and 0144); and (r) transmitting generated power quantity information indicating a generated power quantity for the electric power generator connected to the communications device back to the managing device in response to the request (sections 0049-0051 and 0054).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 3-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayashi et al. in view of Sprecher (U.S. Pat. No. 6425038) and Tonomura et al. (U.S. Pub. No. 20020033020).

Hayashi et al. teach the method that includes the subject matter discussed above. Hayashi et al. do not mention expressly: regarding claim 3, the electric power generator is a solar cell; and step (c) includes the step of (f) obtaining weather information indicating weather at a location of the electric power generator to store the weather information into the database, together with the generated power quantity information for the electric power generator; regarding claim 4, in step (b), the electric

Art Unit: 2863

power generator or the communications device transmits back weather information at a location of the electric power generator together with the generated power quantity information; and in step (f), the managing device stores the weather information transmitted back; regarding claim 5 comprising the step of (g) the managing device predicting a generated power quantity for the electric power generator corresponding to the weather information stored in step (c) on the basis of the weather information; regarding claim 6, comprising the step of (h) the managing device determining whether the electric power generator corresponding to the generated power quantity information stored in step (c) is broken or suffering a reduction in power generation capability on the basis of the generated power quantity information and the generated power quantity as predicted in step (g); regarding claim 7, the electric power generator is a solar cell, the method further comprising the steps of: (i) the managing device obtaining location information indicating locations of electric power generators to be managed to divide the electric power generators into groups according the location information, each group consisting of those generators located at the same location; and (j) the managing device comparing the generated power quantity information, stored in step (c), for those electric power generators divided into the same group in step (i) in order to determine whether any of the electric power generators is broken or suffering a reduction in power generation capability; regarding claim 8, wherein in step (b), the electric power generator or the communications device transmits back location information at a location of the electric power generator together with the generated power quantity information; regarding claim 9, wherein in step (b), the electric power generator or the

communications device transmits back identification information by which the electric power generator corresponding generated power quantity information is identified, together with the generated power quantity information; regarding claim 10, the generated power quantity information includes generated power quantity information for individual modules constituting the electric power generator.

Tonomura et al. disclose a solar power generation administration system and method, including the following teachings: regarding claim 3, the electric power generator is a solar cell (section 0064); and step (c) includes the step of (f) obtaining weather information indicating weather at a location of the electric power generator to store the weather information into the database, together with the generated power quantity information for the electric power generator (sections 0064, 68 and 0073); regarding claim 4, in step (b), the electric power generator or the communications device transmits back weather information at a location of the electric power generator together with the generated power quantity information (sections 0064, 68 and 0073); and in step (f), the managing device stores the weather information transmitted back (sections 0064, 68 and 0073); regarding claim 5, (g) the managing device predicting a generated power quantity for the electric power generator corresponding to the weather information stored in step (c) on the basis of the weather information (section 0159); regarding claim 6, (h) the managing device determining whether the electric power generator corresponding to the generated power quantity information stored in step (c) is broken or suffering a reduction in power generation capability on the basis of the generated power quantity information and the generated power quantity as predicted in

Art Unit: 2863

step (g) (section 0159); regarding claim 7, the electric power generator is a solar cell (section 0064), and the method further comprising the steps of: (i) the managing device obtaining location information indicating locations of electric power generators to be managed to divide the electric power generators into groups according the location information, each group consisting of those generators located at the same location (section 0064); and (j) the managing device comparing the generated power quantity information, stored in step (c), for those electric power generators divided into the same group in step (i) in order to determine whether any of the electric power generators is broken or suffering a reduction in power generation capability (sections 0064, 67 and 0101); regarding claim 8, wherein in step (b), the electric power generator or the communications device transmits back location information at a location of the electric power generator together with the generated power quantity information (section 0064); regarding claim 9, wherein in step (b), the electric power generator or the communications device transmits back identification information by which the electric power generator corresponding generated power quantity information is identified, together with the generated power quantity information (section 0049); regarding claim 10, the generated power quantity information includes generated power quantity information for individual modules constituting the electric power generator (section 0049).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teachings of Tonomura et al. into the invention of Hayashi et al. in order to provide a solar power generation management server and

Art Unit: 2863

solar power generation administration method that can detect and notify the user an error in a solar power generator (Tonomura et al., sections 0012 and 0013).

Prior Art Citations

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1) Lof et al. (U.S. Pub. No. 2005/0127680 A1) is directed to a system, method and computer program product that relates to a renewable power production facility that produces electrical power that is applied to a power grid.

2) Kusaka et al. (U.S. Pub. No. 2003/0033056 A1) is entitled to "Power generation plant remote operation system".

3) Lapinski et al. (U.S. Pat. No. 6771058 B2) is entitled to "Apparatus and method for the measurement and monitoring of electrical power generation and transmission".

4) Iwai et al. (U.S. Pub. No. 2003/0009347 A1) is entitled to "Method and system for surveillance and operation services of power generating equipment".

5) Wobben (U.S. Pub. No. 2004/0236538 A1) is entitled to "System for monitoring wind power plants".

Contact Information

Art Unit: 2863

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xiuqin Sun whose telephone number is (571)272-2280.

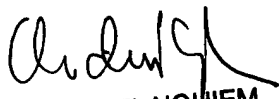
The examiner can normally be reached on 6:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (571)272-2269. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Xiuqin Sun
Examiner
Art Unit 2863

XS
September 1, 2005


MICHAEL NGHIEM
PRIMARY EXAMINER